

**BY ORDER OF THE COMMANDER,
FIFTH AIR FORCE**



5 AF INSTRUCTION 36-701

6 NOVEMBER 1995

Personnel

**EMPLOYMENT AND SEPARATION OF
DEPARTMENT OF DEFENSE (DOD) CIVILIAN
PERSONNEL IN JAPAN (PA)**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This publication provides instructions to the Fifth Air Force Civilian Personnel Flights (CPF) for local employment of US citizens as DoD civilian employees in Japan and for separation of DoD civilian employees wishing to stay in Japan in a status other than a US Forces, Japan (USFJ) member under the Status of Forces Agreement (SOFA).

This instruction requires the collection and maintenance of information protected by the Privacy Act of 1974. The authority to collect and maintain the records prescribed in this publication are listed in system of records notice F030 AF MP A, *Personnel Data System*.

SUMMARY OF REVISIONS

Changes complete text. A bar (|) indicates revisions from previous edition.

1. Terms Explained. For the purpose of this publication, the term “DoD civilian employee” and “employee” means a US citizen paid in US dollars from appropriated or nonappropriated funds.

2. Delegation of Authority. The authority of the commander as outlined in this publication is delegated to the civilian personnel officer of each installation with a CPF.

3. Policy on Employment:

3.1. Commanders delegated authority for the administration of DoD civilian employees may consider any USFJ member for employment.

3.2. Commanders may consider a non-SOFA US citizen for a position if the person is among the best qualified. Employment is contingent on the approval of the CPF and the Government of Japan (GOJ) to change the person's immigration status to that of a member of the USFJ civilian component.

4. Employment procedures for non-SOFA US citizens.

4.1. The CPF requests a files and records check of the applicant through normal security police channels. Each request will contain a signed statement from the applicant giving permission to conduct a local files and records check and release of the information to the CPF.

4.1.1. After obtaining satisfactory security police clearance, the CPF issues the applicant a memorandum ([Figure 1.](#)) to the Japanese Immigration Bureau stating that he or she will be hired on a full-time basis with USFJ and covered under Article I(b) of the SOFA, if there is no objection by the GOJ. The applicant will bring his or her passport and, if applicable, passports of dependents to the Japanese Immigration Bureau.

4.1.2. The applicant reports back to the CPF with the GOJ approval letter. The CPF processes the applicant's Standard Form (SF) 50B, **Notification of Personnel Action**, and sends him or her to obtain an identification card.

4.1.3. If the applicant has a Japanese alien registration card, he or she must turn it in to the city, ward, town, or village office that issued it, within 30 days of appointment.

4.2. As an alternative to the above procedure, an applicant may choose to exit and re-enter Japan at personal expense as a USFJ member. If so desired, the CPF gives the applicant a memorandum that verifies selection for a full-time job upon satisfactory completion of the files and records check.

Figure 1. Sample Entry Under Article I(b) and I(c) of the US-Japan Status of Forces Agreement Memorandum.

MEMORANDUM FOR JAPANESE IMMIGRATION BUREAU

FROM: Civilian Personnel Flight

SUBJECT: Entry Under Article I(b) and I(c) of the U.S. - Japan Status of Forces Agreement

Mr John Doe, US Passport Number Z3000000, has been selected for full-time employment as a Supply Technician, GS-2005-07, 374th Support Group/Service Division, Yokota Air Base, Japan. Request your aprova for coverage of Mr Doe and his dependents under Articles I(b) and I(c) of the US - Japan Status of Forces Agreement.

(Civilian Personnel Flight)

1st Ind, JAPANESE IMMIGRATION BUREAU

MEMORANDUM FOR YOKOTA AB CIVILIAN PERSONNEL FLIGHT

This approves/disapproves entry of the following individuals under Articles I(b) and I(c) of the US - Japan Status of Forces Agreement.

NAME

NATIONALITY

PASSPORT NUMBER

(Signature)

4.3. If the files and records checks are unfavorable, the CPF will determine the applicant's suitability for employment.

5. Rights and Privileges after Separation. When separated, employees and their dependents lose all rights and privileges under the SOFA as a USFJ civilian employee.

6. Separation Procedures:

6.1. When termination of employment involves loss of SOFA status, the employee may not remain in Japan unless authorized by the GOJ. The CPF will notify the Japanese Immigration Bureau of employees failing to receive GOJ permission to remain in Japan.

6.2. Employees who desire to remain in Japan after separation must apply to the CPF no later than 45 days prior to their expected date of separation and provide the following:

6.2.1. Their passport number, expiration date, and reason for local separation.

6.2.2. A statement of understanding that the employee and dependents will not be entitled to, or be furnished, any assistance or logistical support of any kind by USFJ. If the employee is a military retiree, he or she may include a statement such as, "other than what is normally authorized for military retirees."

6.2.3. If the employee is on a transportation agreement, he or she must provide the following statement: "I have been offered transportation to the United States for myself, my dependents, and personal baggage and household goods at government expense. I decline such transportation and understand that my failure to accept transportation within a reasonable time after the date of my separation (usually no more than 90 days) releases the US Government from any further obligation to provide transportation or reimburse me for the value of the unused transportation."

6.3. Upon receipt of the employee's application for local separation, the CPF requests a files and records check by security police. If the results are favorable and there is no known reason that would prevent Japanese authorities from granting permission to stay in Japan, the CPF approves the application. This approval is conditional until the employee receives similar approval from the GOJ.

6.4. The employee takes the memorandum of conditional approval to the Japanese Immigration Bureau for the GOJ certificate of approval. Application forms are available at the Japanese Immigration Bureau. The permission to stay in Japan after separation is a matter between the employee and the GOJ. Any absence from duty while processing documents through the Japanese Immigration Bureau and American Embassy or Consulate will be charged to annual leave or leave without pay.

6.5. The employee provides the certificate of approval to the CPF. The CPF issues the final approval for local separation upon completion of base clearance.

6.6. The employee takes the memorandum of final approval for local separation to the Japanese Immigration Bureau within 30 days of separation or termination.

6.7. Employees and dependents with official passports must have them canceled. The American Embassy or Consulate will issue regular passports at personal expense to the employee.

6.8. The CPF coordinates with the Staff Judge Advocate on any unfavorable information on the employee and determines what information should be brought to the attention of the Japanese Immi-

gration Bureau. If information is classified and not releasable, the Japanese Immigration Bureau is so notified. The final approval for local separation rests with the GOJ.

6.9. If the Japanese Immigration Bureau disapproves the employee's request to stay in Japan, the CPF informs the employee, in writing, that the application has been disapproved and that departure from Japan is necessary to complete the separation process. The CPF notifies the Japanese Immigration Bureau of the employee's termination date under the SOFA.

RICHARD B. MYERS, Lt Gen, USAF
Commander